

Personal Injuries Assessment  
Board

HOW TO RESPOND  
TO A PERSONAL  
INJURY CLAIM

PERSONAL INJURIES  
ASSESSMENT BOARD

*Your Claim – Your Call*  
*1890 829 121*

The Personal Injuries Assessment Board  
P.O. Box 8  
Clonakilty  
Co. Cork

Contact us at  
Telephone: LoCall 1890 829 121  
Monday to Saturday (8am-8pm)  
or visit our website: [www.piab.ie](http://www.piab.ie)

## ...A 'WIN-WIN' SOLUTION...

The Personal Injuries Assessment Board (PIAB) is an independent statutory body set up by the government:

- to assess how much compensation may be given to someone (the Claimant) who has been injured when the person they hold responsible for their injury (the Respondent) does not dispute legal issues including liability;
- to reduce legal costs and other fees charged by experts involved in personal injury claims; and
- to reduce the amount of time it takes to finalise a compensation claim.

PIAB awards the same levels of compensation as the courts but within a faster time frame and without associated litigation costs.

## FREQUENTLY ASKED QUESTIONS

### **If someone makes a claim against me (the Respondent), what do I have to do?**

If we receive a claim against you, the Respondent, we will write to you immediately. This first letter (Informal Notice) simply notifies you that a case is pending. If you have insurance cover you should notify your insurance company of the claim.

We will send you a Formal Notice when we have collected all the information and received a completed Application from the Claimant.

### **What happens next?**

You will have 90 days from the date of the Formal Notice to inform PIAB whether or not you consent to us assessing the claim.

- If you (or your insurance company, if the matter has been passed to them) agree to PIAB assessing the claim, our Assessment Team will calculate the amount of the assessment and formally notify you and the Claimant.

- If however, you do not consent to a PIAB assessment, you must inform us in writing within 90 days and we will give the Claimant an 'Authorisation' (see later) to pursue their claim through the court system if they so wish.
- **If we do not receive a reply in writing within the 90 days, you will be deemed by default to have agreed to the assessment proceeding.**

### **How is the compensation assessment made?**

We assess compensation on the basis of the medical assessment form that the Claimant sends us. We may also consider an independent medical examination if one is necessary because of:

- a dispute about the nature of the injuries sustained  
or
- if there is an inconclusive medical opinion.

We then assess the claim based on all medical evidence provided and having regard to the Book of Quantum (see below).

An assessment may comprise General Damages and Special Damages.

### **What are General Damages?**

General Damages cover compensation for pain and suffering resulting from injuries which were sustained by the Claimant in the accident.

### **What are Special Damages?**

Special Damages cover areas such as wages, medical bills, out of pocket expenses and property damage. In complex cases there may be future losses and/or expenses, i.e. wages, ongoing physiotherapy, etc.

### **What is the Book of Quantum?**

The Book of Quantum is a guide to compensation levels for particular injuries. You may consider using the Book of Quantum to assist you in settling a claim directly with the Claimant.

*Note: The Book of Quantum is available on our website at [www.piab.ie](http://www.piab.ie)*

## **What happens when PIAB completes the Assessment?**

We will let you and the Claimant know in writing the amount of the assessment and as the Respondent you will have 21 days to either accept or reject this amount.

- If you accept it, you must acknowledge this in writing to PIAB.
- If you do not reply within the 21 days, you will be deemed to have accepted the assessment.
- If the Claimant also accepts the assessment we will issue an 'Order to Pay'. This has the same status as an award of court.

You should be aware that if you do not consent to an assessment being made by PIAB or if you reject the assessment when it has been served upon you, and legal proceedings issue, there may be costs implications for you and/or the Claimant.

## **Authorisation**

An Authorisation is a legal document issued to the Claimant which entitles them to pursue their action through the court system, if they so wish.

This is issued if:

- you have declined to let the claim proceed to assessment from the outset
- or**
- the assessment has been rejected by either you or the Claimant.

An Authorisation may also be issued in exceptional cases and PIAB will advise both you and the Claimant if the claim falls within this category. Both parties should be aware that if legal proceedings issue, there may be costs implications for both parties.

## **Fees Payable**

You must pay us an Application Fee of €850 if you agree to PIAB assessing the claim against you. If you have passed the claim to your insurance company and they have agreed to handle the claim on your behalf, they will pay this fee.

**AT ALL TIMES, IT IS OPEN TO THE PARTIES INVOLVED TO AGREE SETTLEMENT OF THE CLAIM AND YOU SHOULD ADVISE PIAB IF THIS OCCURS.**

**How can I contact PIAB?**

If you have any questions regarding the PIAB process you can contact us at:

**The Personal Injuries Assessment Board**

P.O. Box 8  
Clonakilty  
Co. Cork

Telephone: **LoCall 1890 829 121**  
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**Disclaimer:** *This document is intended as a guide for Respondents and does not purport to be a legal interpretation of the Personal Injuries Assessment Board Act 2003 (the "Act"), or any secondary legislation made pursuant to the Act.*

## AT A GLANCE... HOW PIAB WORKS

**1** Claim notified by telephone  
**1890 829 121 Monday to Saturday  
(8am-8pm)** or by post to  
P.O. Box 8, Clonakilty, Co. Cork.



**2** PIAB can assist with completion  
of application over the phone.



**3** Application and Medical Assessment  
Form submitted to PIAB.



**4** PIAB send notification to person  
responsible (Respondent).



**5** Respondent consents  
to PIAB assessment.



**6** Assessment made and Claimant  
and Respondent notified of same.



**7** Both parties accept the assessment  
and PIAB issue an Order to Pay.